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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Mankil Jung et al.

Appln. No.: 10/532,517

Filed : April 25, 2005

For : 6R-(3,6-DIDEOXY-L-ARABINO-
HEXOPYRANOSYLOXY) HEPTANOIC
ACID, PREPARATION PROCESS FOR
THE SAME AND DAUER EFFECT
THEREOF

Docket No.: J31.12-0001



Group Art Unit: 4133


Examiner:

D.D. Sullivan

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(c))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER
IS BEING SENT BY U.S. MAIL, FIRST
CLASS, TO THE COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450, THIS

4th DAY OF February
2008.

PATENT ATTORNEY

Sir:

Interest of Person Making This Disclaimer

I, Z. Peter Sawicki, represent that I am

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf of the assignee of this invention.
- ☒ an attorney of record for this application.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is KDR Biotech. Co. Ltd., 506-4, Amsa 2-Dong, Kangdong-Ku, 134-052 Seoul, KOREA. The title of the Disclaimant is Attorney, and the Disclaimant is authorized to sign on behalf of Assignee.

Extent of Interest

The extent of interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as follows: .

Disclaimer

The Assignee does hereby disclaim, except as provided below, the term of any patent granted on the above-identified application subsequent to

- ☒ the full term of United States Patent No. 7,119,213 as presently shortened by any terminal disclaimer,

or

- ☐ the term of any patent granted on second application number ____ as shortened by any terminal disclaimer filed prior to the grant of the second application,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with

- ☒ United States Patent No. 7,119,213.
- ☐ any patent granted on second application number ____.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- ☒ United States Patent No. 7,119,213, as presently shortened by any terminal disclaimer, in the event that United States Patent No. 7,119,213 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

- ☐ any patent granted on second application number ____ as shortened by any terminal disclaimer filed prior to the grant of the second application, in the event that the second application later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as shortened by any terminal disclaimer filed prior to the grant of the second application.

Fee Status

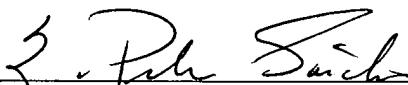
(37 CFR § 1.20(d))

- ☐ other than a small entity \$130.00
☒ small entity status of this application under 37 CFR §§ 1.9 and 1.27 is established by a verified statement \$65.00

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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ZPS:cnn